IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 3790 OF 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : B.P. DHARMADHIKARI, J.
JANUARY 18, 2007.

Heard Shri Narwade, learned counsel for the petitioners and Smt. Shesh learned counsel for the respondent.

The petitioner as also respondent are in possession of land from the same Gat No. i.e. 42/3 and 42/1. The parties have independently arranged for measurement and on the basis of measurement, they have filed suits against each other for removal of encroachment. The Suit filed by the petitioners against the respondent is Regular Civil Suit No.11 of 2001 and suit filed by the respondent against the petitioners is Regular Civil Suit No. 51 of 2003.

Smt. Shesh, learned counsel states that application for joint measurement is already filed before the lower Court and the same is pending.

In the circumstances, I find that the interest of justice can be met by directing the lower Court to club both the above Civil Suits for its joint trial. Smt. Shesh states that the suit is going on since 2001 and proceedings in the suit should be expedited.

In the circumstances, the proceedings in both the above suits are expedited and the Court below to decide these suits as early as possible and in any case within a period of one year from the date of communication of this order to it. With these directions, writ petition is disposed of. No order as to costs.

JUDGE

*GS.